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DATE: December 16, 2008

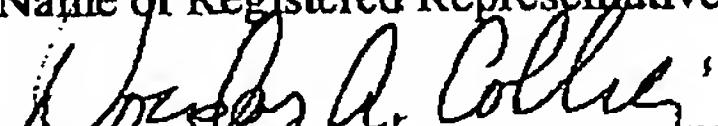
PAGES INCLUDING THIS PAGE: 16

TO: Examiner Michael J. Araj, Group Art Unit 3775
 COMPANY: U.S. Patent and Trademark Office
 FROM: Douglas A. Collier
 RE: Response to Final Office Action for U.S. Patent Application No. 10/826,684 to Hugues F. Malandain

FAX NUMBER: 571-273-8300
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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
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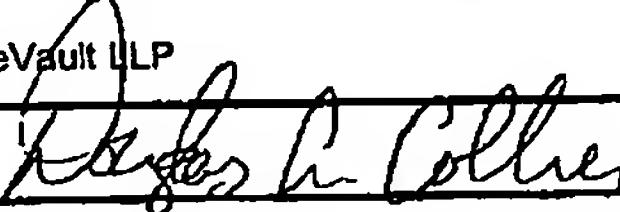
Total Number of Pages in This Submission

Application Number	10/826,684
Filing Date	April 16, 2004
First Named Inventor	Hugues F. Malandain
Art Unit	3775
Examiner Name	Michael J. Araj
Attorney Docket Number	MSDI-942/P32451.00

ENCLOSURES (Check all that apply)

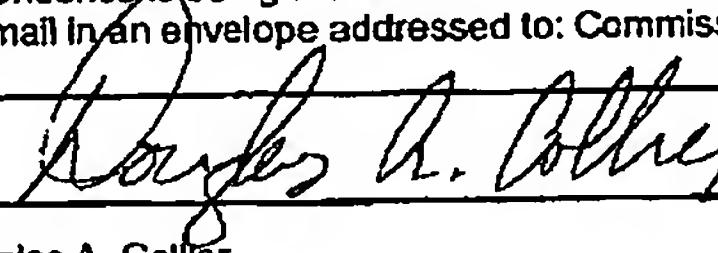
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Douglas A. Collier		
Date	December 16, 2008	Reg. No.	43,556

CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name	Douglas A. Collier	Date	December 16, 2008

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Effective on 12/08/2004.
Fee pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2009

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	(\$)	440.00
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Complete If Known

Application Number	10/826,684
Filing Date	April 16, 2004
First Named Inventor	Hugues F. Malandain
Examiner Name	Michael J. Araj
Art Unit	3775
Attorney Docket No.	MSDI-942/P32451.00

METHOD OF PAYMENT (check all that apply)

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under 37 CFR 1.16 and 1.17

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	330	165	540	270	220	110	_____
Design	220	110	100	50	140	70	_____
Plant	220	110	330	165	170	85	_____
Reissue	330	165	540	270	650	325	_____
Provisional	220	110	0	0	0	0	_____

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Small Entity</u>	
				<u>Fee (\$)</u>	<u>Fee (\$)</u>
38	-4 or HP = 0	x 52.00	= 0.00	52	26
				220	110
				390	195

Total Claims Extra Claims Fee (\$) Fee Paid (\$)
 $38 - 4 \text{ or HP} = 0 \times 52.00 = 0.00$

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$)
 $6 - 4 \text{ or HP} = 2 \times 220.00 = 440.00$

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$270 (\$135 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)
 $- 100 = / 50 = \text{(round up to a whole number)} \times \text{Fee ($)} = \text{Fee Paid ($)}$

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): _____

SUBMITTED BY

Signature	Douglas A. Collier	Registration No. (Attorney/Agent) 43,556	Telephone (317) 636-4341
Name (Print/Type)	Date December 16, 2008		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)	Before the Examiner:
Hugues F. Malandain)	Michael J. Araj
)	
Application Serial No. 10/826,684)	Group Art Unit:
)	3775
Filed: April 16, 2004)	Ref. No. MSDI-942/P32451.00
SUBCUTANEOUS SUPPORT)	December 16, 2008

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Final Office Action mailed October 29, 2008, please enter and consider the following amendments and remarks. Additional claims fees for two independent claims are enclosed herewith. No additional fees or extensions of time are believed due for

PAGE 5/5 * RCVD AT 12/16/2008 2:17:14 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-6/12 * DNIS:2738300 * CSID: * DURATION (mm:ss):05:56 rv and

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